



PTO/SB/30 (10/2001)

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**REQUEST****FOR****CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number **09/641,795**Filing Date **08/18/2000**First Named Inventor **James M. Zavislans**Art Unit **2877**Examiner Name **Hoa Q. Pham**Attorney Docket Number **ML-0459C****This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO ) on page 2.

**1. Submission required under 37 CFR §1.114****a.  Previously submitted**

i.  Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).

ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
iii.  Other \_\_\_\_\_

**b.  Enclosed**

i.  Amendment/Reply      iii.  Information Disclosure Statement (IDS)  
ii.  Affidavit(s)/Declaration(s)      iv.  Other \_\_\_\_\_

**2. Miscellaneous**

a.  Suspension of action on the above-identified application is requested under 37 CFR §1.103(c) for \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR§1.17(i) required)

b.  Other *Petition For Extension of Time Under 37 CFR 1.136(a)*

**3. Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **50-1101**

i.  RCE fee required under 37 CFR §1.17(e)  
ii.  Extension of time fee (37 CFR §§1.136 and 1.17)  
iii.  Other \_\_\_\_\_

b.  Check in the amount of \$ \_\_\_\_\_ enclosed

c.  Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)	Kenneth J. LuKacher	Registration No. (Attorney / Agent)	38,539
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Signature	<i>Kenneth J. Lukacher</i>	Date	January 21, 2003
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**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark

Name (Print / Type)	Kenneth J. LuKacher
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Signature	<i>Kenneth J. Lukacher</i>	Date	January 21, 2003
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

Applicant: James M. Zavislans

Serial No.: 09/641,795

Filed: August 18, 2000

For: IMAGING SYSTEM USING POLARIZATION EFFECTS TO  
ENHANCE IMAGE QUALITY

Examiner: Pham, H. Art Unit: 2877

Atty Docket: ML-0459C

AMENDMENT

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Responsive to the Office Action of August 21, 2002, please amend the above-identified application as follows:

In the Specification

Please replace the paragraph on page 7, lines 8-19, with the following:

The light is returned and collected by the objective 30 and combined inside of the prism 42, and returned as general elliptically polarized beam. The light directed into sample 12 and the light returned from the sample substantially share the same objective 30 as illustrated in FIG. 2. The polarization state of the light returned from the spots C and D depends upon the optical activity and optical retardance, particularly the difference in the average refractive index across the spots C and D. Accordingly, the amount of light from the image plane, which is focused by the condenser 34 and passes through the confocal aperture as the optical signal which is detected by the detector 24 depends upon the amount of polarization rotation, or the differential interference which produces a phase rotation of the polarization vector. Since the polarizing beamsplitter is set to reflect the polarization orthogonal to the incident polarization 16, towards the detector with greatest efficiency, the intensity of illumination at the detector depends upon the rotation and polarization (in effect the degree of elliptical polarization) which is produced by the material in the sample in the image plane.